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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT PAPER NUMBER

3623

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/704,569

Applicant(s)

RODRIGUEZ ET AL

Examiner

Akiba K Robinson-Boyce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Due to communications filed 11/3/00, the following is a non-final first office action. Claims 1-27 are pending in this application. Claims 1-37 are rejected as follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 16-20, 26-30, 36, 37, are rejected under 35 U.S.C. 102(b) as being anticipated by Tognazzini (US 5,790,974).

As per claims 1, 28, 36, Tognazzini discloses:

Scheduling the travel arrangements using a computer system, (col. 8, lines 25-27, [inputs by a user]);

recording the scheduled travel arrangements on a nonvolatile storage device connected to the computer system, (col. 8, lines 28-30, (entries entered into calendar memory)).; and

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sending one or more automated requests from the computer system to one or more service agents, (Col. 8, lines 36-38, [agent received downloaded office calendar, Ab. Lines 10-12, [shows automated system]]).

As per claims 2, 19, 29, Tognazzini discloses:

wherein the service agents include one or more delivery service agents, (Col. 15, lines 38-45, [agent shown servicing user by identifying estimated travel time, location and stored travel time]).

As per claim 3, 20, 30, Tognazzini discloses:

sending includes one of sending an automatic email message, sending an automatic facsimile, and sending an automatic data stream using a predefined protocol, (Col. 12, lines 17-19, and line 22, [user message {e-mail message}], ab, lines 10-12, [shows system is implemented automatically], w/ Col. 9, lines 56-62, [calendar memory updated according to predetermined protocol]).

As per claim 16, Tognazzini discloses:

wherein the service agents include a travel information system, (Col. 15, lines 26-45, [location/travel time]).

As per claim 17, Tognazzini discloses:

receiving the automated request at the travel information system, (col. 1, line 51, [automatically], Col. 2, lines 19-20, [calendar entry by user]); and

downloading travel information that includes at least one of driving instructions, GPS data, area attraction information, civic event information, and cultural event information, (Ab., lines 4-5, GPS receiver).

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As per claim 18, Tognazzini discloses:

one or more processors, (Col. 8, lines 39-40, [internal processor]);

a memory accessible by the processors, (Col. 8, lines 37-39, [calendar memory]);

a nonvolatile storage device accessible by the processors, (col. 5, lines 11-12, [nonvolatile memory]); and

a travel automation tool, the travel automation tool including:

means for scheduling travel arrangements using a computer system, (Col. 8, lines 25-27, [element for calculating]);

means for recording the scheduled travel arrangements on the nonvolatile storage device, (col. 8, lines 31-32, [entering into calendar memory]); and

means for sending one or more automated requests from the information handling system to one or more service agents, (col. 8, lines 36-38, [agent receives downloaded information], ab, lines 10-12, [automatically updating information]).

As per claim 26, Tognazzini discloses:

wherein the service agents include a second information handling system, (Col. 3, lines 16-18, [second agent]).

As per claims 27, 37, Tognazzini discloses:

means for receiving the automated request at the second information handling system, (Col. 3, lines 15-16, [second agent]);

means for searching a database connected to the second information handling system for requested information, (Col. 3, lines 15-16, [receiving location data]);

means for downloading information resulting from the searching to a computing device that is accessible by a user, (Col. 5, lines 18-20, [downloading database information]), w/ col. 7, lines 45-51, [transmitting location information to calendar system]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-10, 21-23, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini (US 5,790,974), and further in view of Levine (US 6,076,121).

As per claims 4, 21, 31, Tognazzini fails to disclose the following, however Levine discloses:

wherein the delivery service agents include one or more parcel services, and wherein the automated requests include one of holding packages for customer pickup, delivering packages on a future date, and leaving packages with a neighbor, (col. 2, lines 8-14, [mail or parcel system, where holding packages for customer pickup, delivering packages on a future date and leaving packages with a neighbor are obvious with the system since the system is directed towards a postal business and these types of requests are common and standard in postal operations]).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for an automated request to include one of holding packages for customer pickup, delivering packages on a future date, and leaving packages with a neighbor with the motivation of getting the package to the owner in a reasonable amount of time.

As per claim 5, Tognazzini fails to disclose the following, however Levine discloses:

wherein the delivery services include a post office, and wherein the automated holding mail for on a future date address requests include at least one of customer pickup, delivering mail and forwarding mail to another, (Col. 2, lines 14-17, [post office and parcel handling offices, where customer pickup, delivering and forwarding mail are obvious with the system since the system is directed towards a postal business and these types of requests are common and standard in postal operations]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for an automated request to include customer pickup, delivering and forwarding mail with the motivation of getting the package to the owner in a reasonable amount of time.

As per claim 6, Tognazzini fails to disclose the following, however Levine discloses:

wherein the delivery services includes a company mailroom, and wherein the automated requests include at least one of holding mail for future pickup, delivering mail

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on a future date, and forwarding mail to another address, (Col. 2, line 28, [shows sorting which occurs in a mailroom, where holding mail for future pickup, delivering mail on a future date and forwarding mail to another address are obvious with the system since the system is directed towards a postal business and these types of requests are common and standard in postal operations.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for an automated request to include holding mail for future pickup, delivering mail on a future date and forwarding mail to another address with the motivation of getting the package to the owner in a reasonable amount of time.

As per claims 7, 22, 32, Tognazzini fails to disclose the following, however Levine discloses:

wherein the service agents include one or more telephone systems and wherein the sending automated requests include configuring instructions corresponding to a telephone, (Col. 8, lines 45-47, [telephone network], Col. 12, lines 20-35, [assigning FP code represents configuring]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include configuring instructions corresponding to a telephone with the motivation of properly guiding the user for telephone operation.

As per claim 8, Tognazzini fails to disclose the following, however Levine discloses:

wherein the configuring requests include at least one of changing a voicemail greeting, forwarding calls received at a first phone number to a second phone number,

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transferring a caller to an alternate phone number, and providing the caller with an emergency contact, (Col. 22, lines 37-43, [call forwarding]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include call forwarding in the configuring request with the motivation of guaranteeing a successful telephone connection.

As per claims 9, 23, 33, Tognazzini fails to disclose the following, however Levine discloses:

registering the telephone with an email system prior to the configuring, wherein the registering includes sending a message to the email system, (Col. 1, lines 32-40, [voice signals being carried to the Internet server], col.2 , lines 51-61, [shows e-mail message]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to register the telephone with an email system prior to the configuring with the motivation of guaranteeing another contact means.

As per claim 10, Tognazzini fails to disclose the following, however Levine discloses:

setting a backup contact name, wherein the backup contact name corresponds with the alternate phone number, and receiving a predefined signal from a calling telephone requesting the transferring to the alternate phone number, (col. 22, lines 13-25, [translated pseudo-number connection to a temporary intermediate destination/different destination due to signals]

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to set a backup contact name, wherein the backup contact name corresponds with the alternate phone number, and receive a predefined signal from a calling telephone requesting the transferring to the alternate phone number with the motivation of guaranteeing a telephone connection with an available person.

6. Claims 11-12, 24-25, 34, 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini (US 5,790,974), and further in view of Alexander et al (US 6,640,230).

As per claims 11, 24, 34, Tognazzini fails to disclose the following, however Alexander et al discloses:

wherein the service agents include an electronic calendar system, (Ab. Lines 1-6, [Electronic calendar system]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide an electronic calendar system with the motivation of providing a structure that will make organizing time easier for a user.

As per claims 12, 25, 35, Tognazzini fails to disclose the following, however Alexander et al discloses:

receiving the automated request at the electronic calendar system, (Col. 16, lined 39-42, [automated response upon receiving a request]; and

updating an electronic calendar maintained by the electronic calendar system with information related to the travel arrangements, (Col. 18, lines 26-29, [updating electronic calendar]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive an automated request and to update the electronic calendar with information with the motivation of maintaining a current calendar environment with the most up-to-date travel events.

7. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini (US 5,790,974), and further in view of Berman et al (US 5,995,939).

As per claim 13, Tognazzini fails to disclose the following, however Berman et al discloses:

wherein the service agents include a medical information system, (Ab. Lines 1-7, [system resides in a Doctors office]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the service agents to include a medical information system with the motivation of implementing the system in a medical environment where medical issues can be resolved using calendar methods.

As per claim 14, Tognazzini fails to disclose the following, however Berman et al discloses:

receiving the automated request at the medical information system, (Col. 3, lines 64-67, [crate/send service message]);

and downloading destination related medical information to a computing device that is accessible by a user in response to the received request, (Col. 12, lines 24-35, [retrieving e-mail addresses for sponsoring systems]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive an automated request and download destination related medical information to a computing device with the motivation of properly delivering medical data to a device that is easily accessible by a user.

As per claim 15, Tognazzini fails to disclose the following, however Berman et al discloses:

wherein the medical information corresponds with one or more medical services offered at a travel destination, (Col. 2, line 26-31, [correspondence between the office and the testing lab]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the medical information to correspond with one or more medical service offered at a travel destination with the motivation of providing means for a user to acquire medical treatment in a reasonable amount of time.

Conclusion

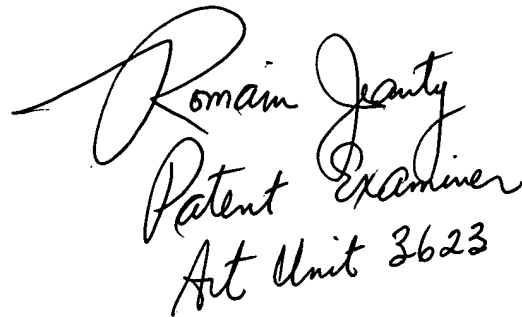
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.
December 24, 2003



Romain Jeanty
Patent Examiner
Art Unit 3623